

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

2 Lafayette Street, Suite 1010
New York, New York 10007

(212) 442-1400

Fax: (212) 442-1407 TDD: (212) 442-1443

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FOR IMMEDIATE RELEASE
June 25, 2012

CONTACT: Carolyn Lisa Miller
(212) 442-1419

FORMER CITY PLANNER FINED \$6,500 FOR CREATING & USING FAKE CITY PARKING PLACARD, INCLUDING AT PVO HEARINGS TO GET PARKING SUMMONSES DISMISSED

A former City Planner at the New York City Department of City Planning (“DCP”) has paid the New York City Conflicts of Interest Board (“Board”) a \$6,500 fine for violating the City of New York’s conflicts of interest law. The former City Planner admitted that in 2007 she created a fake City parking placard and, from 2007 to 2011, displayed it in her private vehicle to avoid receiving parking tickets for parking in otherwise prohibited spaces. The fake City parking placard fraudulently utilized the logo of the City of New York and fraudulently stated that it was issued by DCP.

The former City Planner admitted that, on three occasions, she used the fake City parking placard to have parking summons dismissed at the New York City Department of Finance Parking Violations Operations (“PVO”) hearings. At each PVO hearing, the former City planner presented the fake City parking placard as if it were legitimate and represented herself as a DCP employee; as a result, each time, the summons was dismissed.

The former City Planner acknowledged she violated the City’s conflicts of interest law by using her DCP position to obtain a personal benefit and by using a City resource for a non-City purpose. A copy of the disposition is attached [here](#). All of the Board’s dispositions are available free of charge, in full-text searchable form, on the website for the Center for New York City Law at New York Law School (www.CityAdmin.org).

The Board took the occasion of this disposition to remind public servants that they are prohibited from using their City position to obtain a personal benefit not otherwise available to a member of the general public and from using City resources – which include, for example, City vehicles, parking placards, E-ZPasses, and gas cards – for any personal, non-City purpose, in particular for any private business or outside employment.

Carolyn Lisa Miller, Director of Enforcement, handled this case for the Board.

The Board gratefully acknowledges the work of its confidential investigative arm, the New York City Department of Investigation (“DOI”), DOI Commissioner Rose Gill Hearn, DOI Inspector General Anastasia Coleman, and DOI Special Investigator Omar Sarach, who handled the investigation.

The Conflicts of Interest Board is the City’s ethics board and is charged with interpreting and enforcing the City’s the conflicts of interest, financial disclosure, and lobbyist gift laws. For more information about the Board, visit: <http://nyc.gov/ethics>. Anyone with questions about the law is urged to contact the Board through its website or by calling (212) 442-1400.

The Board does not comment on its dispositions, except as set forth above. For additional public information about the Board’s enforcement activities—including summaries of all prior enforcement dispositions and fines imposed—visit the Board’s website: www.nyc.gov/html/conflicts/html/units/enforcement.shtml.

THE CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

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<i>In the Matter of</i>	:	
	:	<u>DISPOSITION</u>
	:	
KHALILAH STEWART	:	COIB Case No. 2012-162
	:	
	:	
Respondent.	:	
	:	
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WHEREAS, the New York City Conflicts of Interest Board (the “Board”) commenced an enforcement action pursuant to Section 2603(h)(1) of Chapter 68 of the New York City Charter (“Chapter 68”) against Khalilah Stewart (“Respondent”); and

WHEREAS, the Board and Respondent wish to resolve this matter on the following terms,

IT IS HEREBY AGREED by and between the parties as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:

- a. From September 18, 2006, to August 3, 2011, I was employed by the New York City Department of City Planning (“DCP”), most recently as a City Planner. As such, during that time I was a “public servant” within the meaning of Chapter 68.
- b. In 2007, I created a fake official City parking placard, laminated it, and began displaying it on the dashboard of my private vehicle in an effort to be able park in otherwise prohibited spaces without receiving a parking ticket. The fake City parking placard I created fraudulently utilized the logo of the City of New York and fraudulently stated that it was issued by DCP.
- c. I displayed the fake City parking placard in my private vehicle from 2007 through in or around 2011 to avoid receiving parking tickets.
- d. I acknowledge that, by using an official City logo for the non-City purpose of creating a fake parking placard and then by using my City position to display that fake parking placard to avoid receiving parking tickets, I violated Chapter 68, specifically City Charter § 2604(b)(2), pursuant to Board Rules § 1-13(b), and City Charter § 2604(b)(3), which state respectively:

No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties. [City Charter § 2604(b)(2)]

Except as provided in subdivision (c) of this section, it shall be a violation of City Charter § 2604(b)(2) for any public servant to use City letterhead, personnel, equipment, resources, or supplies for any non-City purpose. [Board Rules § 1-13(b)]

No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant. [City Charter § 2604(b)(3)]

- e. I also used the fake City parking placard I created to have parking summonses dismissed at New York City Department of Finance Parking Violations Operations (“PVO”) hearings. I appeared at PVO hearings on April 21, 2008, June 3, 2008, and October 30, 2009; each time, I presented the fake City parking placard as if it was a legitimate parking placard in order to have the issued summons dismissed. At each PVO hearing, as part of my defense, I represented myself as an employee of DCP and, as a result, the summons was dismissed.
 - f. I acknowledge that, by identifying myself as a City employee and using an unauthorized parking placard to having parking summonses dismissed at PVO hearings, I violated Chapter 68, specifically City Charter § 2604(b)(2), pursuant to Board Rules § 1-13(b), and City Charter § 2604(b)(3), as cited in paragraph 1(d) above.
2. In recognition of the foregoing, Respondent agrees to the following:
- a. I agree to pay a fine of Six Thousand Five Hundred Dollars (\$6,500) to the Board, by money order or by cashier, bank, or certified check, made payable to the “New York City Conflicts of Interest Board,” upon my signing of this Disposition.
 - b. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the

Board, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.

- d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having had the opportunity to be represented by an attorney of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board; and that I fully understand all the terms of this Disposition.
- e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

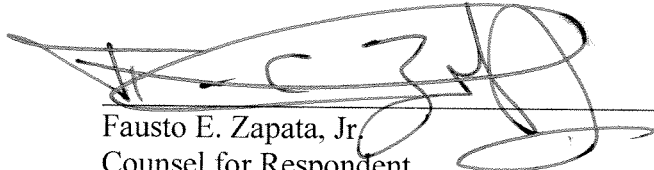
3. The Board accepts this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively states that other than as recited herein, no further action will be taken by the Board against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

4. This Disposition shall not be effective until all parties have affixed their signatures below.

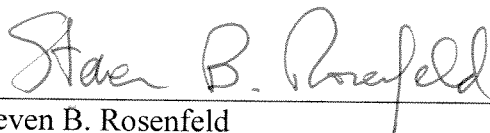
Dated: May 30, 2012


Khalilah Stewart
Respondent

Dated: May 30, 2012


Fausto E. Zapata, Jr.
Counsel for Respondent

Dated: JUNE 21, 2012


Steven B. Rosenfeld
Chair
NYC Conflicts of Interest Board